

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x      07 Civ. 3816 (LBS)  
:  
SELECTIVE INSURANCE COMPANY,      :  
:  
Plaintiff,      :  
:  
-against-      :  
:  
SCARTH CONSTRUCTION CORPORATION,      :  
:  
Defendant.      :  
:  
-----x

**ORDER  
GRANTING  
DEFAULT  
JUDGMENT**

**UPON** plaintiff's Notice of Motion for Default and Affidavit in Support of Request to Enter Default, with exhibits, both documents dated August 3, 2007; and

**UPON** review of the certificate of the Clerk of the Court stating that defendant was served and has failed to answer or appear in this action; and

**UPON** oral argument of plaintiff's motion for a default judgment before the Court on September 6, 2007, in which it was determined that defendant has failed to timely appear or answer in this action; it is therefore

**ORDERED** that plaintiff's motion for a default judgment against defendant is granted, and the Clerk is directed to enter default judgment against defendant Scarth Construction Corporation in this cause for defendant's failure to plead, answer or otherwise defend in this cause as required by law.

**SO ORDERED:**

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Hon. Leonard B. Sand, USDJ